

## Order to Show Cause

<b>DOD: 11/27/05</b>	<b>ANITA CHOPERENA</b> is Administrator with Limited IAEA.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Current bond is \$106,000.00.	<b>1. The Court may require clarification regarding the time frame for closing the estate given the fact that the sale has fallen through, and may set a status hearing for the filing of the petition for final distribution as appropriate.</b>
	On 7/30/15, the Court confirmed the sale of real property for \$922,500.00 and set status hearing re proof of additional bond in the amount of \$550,000.00 for 8/27/15.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<p><b>Minute Order 8/27/15:</b> No appearances. The Court issues an Order to Show Cause to Thomas Keene and Anita Choperena as to why Mr. Keene should not be sanctioned for his failure to appear, and as to why Ms. Choperena should not be removed as Administrator for failure to file proof of additional bond. Both Mr. Keene and Anita Choperena are ordered to be personally present in Court or appear by Court Call on 9/17/15.</p> <p><b>Declaration of Thomas J. Keene Concerning OSC filed 9/9/15 states</b> in preparing the Report of Sale and Petition for Order Confirming Sale of Real Property he came to realize that the bond would have to be increased once the sale went through. His understanding from the purchase and sale agreement was that escrow was open and a sum was already on deposit, but it would not be fully funded until the Court approved terms the sale. He recalls that prior to the hearing on the Report of Sale and Petition, his secretary had made arrangements with the bonding company to increase the bond before escrow closed.</p> <p><b><u>SEE ADDITIONAL PAGES</u></b></p>	<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 9/14/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1 – Choperena</b></p>

## Page 2

**Mr. Keene states** he now recalls that at the hearing, Judge Kazanjian had indicated that there would be some sort of status hearing regarding increase of the bond, but he did not write down the date. When he got back to his office, he had forgotten about the hearing and did not communicate to his secretary to calendar the date.

Before he left the courthouse on 7/30/15, it was agreed that when the almond crop was harvested, possession of the property would be turned over to the buyer, even if escrow had not closed, so that he would be responsible for the trees. Mr. Parker (real estate agent) indicated that escrow would be opened within a couple of working days. Mr. Keene was surprised because he thought escrow had opened and a deposit had already been made to it by the buyer. However, he did not say anything because he assured him that the sale was going to go through.

On Thursday 8/6/15, Mr. Keene received an email from his client which appeared to have been sent to a number of people saying that she was down to 9 acre feet of water and that, "This additional water will sustain the trees until more is available. Ms. Gutierrez will advise me about new owner being able to assume. Comments please, before 4pm Friday, August 7, 2015."

Mr. Keene replied immediately that he did not understand because this amount would be adequate to keep the trees healthy until harvest was complete and after that it would be the buyer's responsibility. He received a reply from Tom Parker that the initial email was sent to Mr. Keene by mistake and was intended for the buyer's real estate agent. He also said in another email that day that the buyer had a 17 day period for inspection and could back out at any time.

On Monday 8/10/15, Ms. Choperena came to see Mr. Keene without an appointment. She was confused because she heard from Mr. Parker that the deal might not go through and she did not know whether to buy enough water to keep the trees going until the end of the year and she had to make the decision that day. Mr. Keene called Mr. Parker, who said he was waiting for a call. He called back later and said that the buyer was backing out. Mr. Keene then advised Ms. Choperena to buy the water. She asked if the buyer had made the deposit. Mr. Parker said no. When pressed as to when the escrow was opened, he gave conflicting answers. Ms. Choperena told Mr. Keene that she had signed a paper in Mr. Parker's office the week before demanding that the buyer make the deposit. This is the first Mr. Keene had heard of such a paper.

Mr. Keene then reviewed the documents attached to the Report of Sale and satisfied himself that they did in fact say that escrow was opened when they were signed and the buyer would make deposit within a day of opening escrow. Mr. Keene then advised his client that she should seriously consider pursuing litigation against Mr. Parker and his broker. The matter is still under discussion.

Mr. Keene takes full responsibility for his failure to appear on 8/27/15 since he is responsible for it not being on his calendar. However, on 8/27/15, his physical situation was such that he would not have physically been able to make appearance even if he was aware of it.

See also Declaration of Julia Chacon-Larson, Mr. Keene's secretary.

**SEE ADDITIONAL PAGES**

**Declaration of Anita Choperena Concerning Order to Show Cause filed 9/9/15 states** she does not recall being told to come to court for a hearing on 8/27/15. Ms. Choperena recalls conversation between Mr. Parker and Mr. Keene regarding opening escrow, and recalls that Mr. Keene said bond needed to be in place before escrow closed. Mr. Keene assured her that everything had been arranged with the bonding company and that the increased bond would go into place when needed. She did not think more about the bond after that. The harvest had just started and was to be completed in the next few days.

On 8/5/15, Mr. Parker told her that the buyer had not deposited his initial payment into escrow. At his request, she signed a Notice to Buyer to Perform (attached), which was subsequently sent to the buyer. On 8/10/15, she went to see Mr. Keene because Mr. Parker suggested that the transaction was not going to close and she had to decide whether to buy more water. When they learned that the buyer had decided to back out, she signed the Cancellation of Contract, Release of Deposit, and Cancellation of Escrow document prepared by Mr. Parker (attached). Nothing was said that day about bond.

Harvest was completed 8/15/15. At present, the estate has not been paid the first installment for the sale of the almonds because the harvest needs to be inspected by the Dept. of Agriculture before it is accepted by the company that the estate sells the nuts to. She expects payment before the hearing on 9/17/15. The final payment will not be due until 12/15/15.

Ms. Choperena states if she is removed as Administrator, she wants to make sure that whoever takes over pays her her promissory note before title is distributed to her grandchildren or when the property is sold while it is still in probate.

Conservator Franco, Albert (Pro Per – Co-Conservator – Petitioner)

## Third Account Current, Report of Conservator and Petition for Its Settlement

<b>DOD: 8/15/13</b>		<b>ALBERT FRANCO</b> , Son and Co-Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/ COMMENTS:</b>
		<p><b>Petitioner states</b> that after their mother's death, Co-Conservator Patricia Leonard wanted him to take care of everything. He took over paying all bills for their mother's house in Fresno and has been dealing with this conservatorship. Ms. Leonard will not appear regarding this matter and when this conservatorship is dissolved, Petitioner will be the one to petition the court for the probate estate.</p> <p><b>Account period: 6/1/12 – 8/31/13</b>  Accounting:  \$121,910.31 / \$122,070.50  (Accounting does not balance)  Beginning POH: \$92,518.86  Ending POH: \$90,639.43  (\$639.43 cash plus non-cash assets including real and personal property)</p> <p><b>Petitioner states</b> the estate could not afford the cost of an accountant as noted to this court and the prior court. Petitioner has provided the bank statements.</p> <p>Petitioner waives compensation.</p> <p>Petitioner states the conservators had on file a bond totaling \$181,280.00. After the prior accounting, the court stated the bond was no longer necessary and it was canceled.</p> <p><b>Petitioner prays for an order that:</b></p> <ol style="list-style-type: none"> <li>1. Notice of hearing on this account, report and petition be given as required by law;</li> <li>2. The Court make an order approving, allowing and settling the attached account and report of the Co-Conservators as filed;</li> <li>3. Further, due to the fact that the Conservatee died on 8/15/13, that the Court order this Conservatorship closed and dismissed.</li> </ol>	<u><b>SEE ADDITIONAL PAGES</b></u>
<b>Aff.Sub.Wit.</b>			
✓ <b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>	x		
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
✓ <b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			

<b>Reviewed by:</b> skc
<b>Reviewed on:</b> 9/14/15
<b>Updates:</b>
<b>Recommendation:</b>
File 2 – Kozera

## Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. Need amended accounting due to, but not necessarily limited to, the following issues:
  - Account does not balance. Charges and Credits should match.
  - Beginning Property On Hand does not correspond to the Ending Property On Hand figure from the Second Accounting.
  - Need mandatory schedules, including summary, receipts, disbursements, etc.
  - The Conservatee passed away 8/15/13. Therefore, this should be a third and final account, containing two account periods: one for the period until her death, and one for the subsequent period after her death. See Probate Code §2620(b).
  - Petitioner requests termination of the conservatorship, but does not request distribution of the assets or indicate whether an estate has been opened.
2. The Court may require the participation and verification of this account by Co-Conservator Patricia Leonard, as she has not formally been removed Co-Conservator.
3. Petitioner states the bond was canceled after the prior accounting because the court said bond was no longer necessary; however, the Order on Second Account filed 2/21/13 states the current bond of \$181,280.00 is sufficient. It does not cancel bond. Need clarification regarding the status of the bond.
4. Need Notice of Hearing.
5. Need proof of service of Notice of Hearing on all relatives at least 15 days prior to the hearing pursuant to Probate Code §§ 2621, 1460(b)(6).
6. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1252 on Attorney Leigh W. Burnside due to the Request for Special Notice filed 8/25/11.
7. Petitioner's Declaration re bank statements states that the conservatorship technically stopped when the Conservatee died and the probate estate started, and he will account for and deal with the probate estate assets when he files the probate case. He and his sister are the only heirs.

The above statement is not a correct representation of how to deal with the transition from conservatorship estate to probate estate. See above #1, and also Probate Code §§ 2620(b) and 2630 with regard to accounting for the period subsequent to the conservatee's death. Petitioner may wish to seek legal advice from an attorney regarding how to proceed.

**Second and Final Account and Report of Guardian and Petition for its Settlement; for Allowance of Attorney Fees and Reimbursement of Costs Advanced; for Termination of Guardianship Proceedings, for Discharge of Guardian and for Transfer of Guardianship Funds to Conservatorship Estate**

		<b>DELIA GONZALEZ</b> , Guardian, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Please see related case on page 23.</b>
		Account period: 10/31/13 – 6/30/15	
<b>Cont. from</b>		Accounting - <b>\$571,124.28</b>	1. Need original bank statements. Probate Code 2620(c)(2).  2. Need proof of service of the Notice of Hearing along with a copy of the Petition on Edward L. Fanucchi, pursuant to the Request for Special Notice filed on 8/24/15.  <b>Note:</b> Petition indicates that upon the filing of receipts petitioner should be discharged as guardian of the estate. Probate Code 2627(b) states a guardian is not entitled to discharge until one year after the minor has attained the age of majority. Examiner has removed the language regarding discharge from the order.
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$113,657.09</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$569,204.53</b>	
<input type="checkbox"/>	<b>Inventory</b>	Guardian - <b>waives</b>	
<input type="checkbox"/>	<b>PTC</b>	Attorney - <b>\$2,884.00</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>	(12.5 hours @ \$225/hr. and 1.3 hours @ \$65/hr.)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Costs - <b>\$488.00</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	(filing fee and certified copies)	
<input type="checkbox"/>	<b>Aff.Pub.</b>	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	1. Settling, allowing and approving the second and final account;	
<input type="checkbox"/>	<b>Pers.Serv.</b>	2. Approving all acts and transactions of Guardian;	
<input type="checkbox"/>	<b>Conf. Screen</b>	3. Payment of attorney fees and costs.	
<input type="checkbox"/>	<b>Letters</b>	4. Directing the remaining property on hand be transferred to the conservator of the estate of Francisco De La Mora;	
<input type="checkbox"/>	<b>Duties/Supp</b>	5. Upon approval of this accounting and the filing of receipts, petitioner should be discharged as guardian of the estate;	
<input type="checkbox"/>	<b>Objections</b>	6. The Guardianship estate proceedings be terminated.	
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>2620(c)</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> KT
			<b>Reviewed on:</b> 9/15/15
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 3 – De La Mora</b>

Attorney Matlak, Steven M. (for Diana Rodrigues, Conservator of the Person)  
 Attorney Kruthers, Heather H. (for the Public Guardian, Successor Conservator of the Estate)

**Petition for Order Fixing and Allowing Attorney's Fees and Costs**

			<b>STEVEN M. MATLAK</b> , attorney for <b>DIANA RODRIGUES</b> , Conservator of the Person, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
			<b>PUBLIC GUARDIAN</b> was appointed Successor Conservator of the Estate on 7/22/2013.	
<b>Cont. from</b>			<i><b>Inventory and Appraisal filed on 10/28/2014</b></i> shows an estate value of <b>\$155,947.26</b> .	
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>		<b>Petitioner requests</b> payment from the Conservatorship Estate.	
	<b>Inventory</b>			
	<b>PTC</b>		Services are itemized by date and include preparation of documents for the petition to change personal residence of the Conservatee, review of confidential investigator's reports and the Public Guardian's account and petition for sale of mobile home, and court appearances.	
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>		W/	
✓	<b>Aff.Mail</b>			
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
			<b>Reviewed by:</b> LEG	
			<b>Reviewed on:</b> 9/14/15	
			<b>Updates:</b>	
			<b>Recommendation:</b>	
			<b>File 4 – Chrest</b>	

**First and Final Account and Report of Status of Administration of Administrator, Petition for Approval of Mutual Compromise and Settlement Agreement Regarding Distribution of the Estate and for Settlement thereof; for Allowance of Statutory Attorney's Fees; for Extraordinary Attorney's Fees for Reimbursement of Costs Advanced and for Final Distribution**

<b>DOD: 05/12/13</b>		<b>ROSANNA TOROSIAN</b> , Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u><b>CONTINUED FROM 08/27/15</b></u>
		Account period: <b>05/12/13 – 07/15/15</b>	1. Notice of Hearing filed 07/21/15 and 08/31/15 indicates that the attorney representing several of the heirs was mailed notice, however, pursuant to CA Rule of Court 7.51(a)(1) notice must be mailed individually and directly to the person entitled to notice in addition to the attorney (Probate Code § 1214). Therefore, need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> for: Antonio Simone, Elisa Simone, Vittoria Simone, Giuseppe Simone, Giuseppina Simone, Sebastiano Simone, Angela Simone, Cinzia Simone, Francesco Sicoli, Sebastiano Sicoli, Maria Pia Sicoli, Angela Sicoli, Gianni Sicoli, Emilio Sicoli
<b>Cont. from 082715</b>		Accounting: <b>\$462,010.12</b> Beginning POH: <b>\$439,443.82</b> Ending POH: <b>\$421,062.95</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Administrator: <b>\$12,014.00</b> (statutory)	2. The Order has incorrect distribution amounts to the beneficiaries listed. Need revised Order.
<input checked="" type="checkbox"/>	<b>Verified</b>	Administrator costs: <b>\$355.14</b> (for costs related to maintenance or real property, decedent's dog, and filing fees)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Administrator creditor's claim: <b>\$17,900.40</b> (pursuant to Settlement Agreement between Administrator and the heirs)	<b>Reviewed by:</b> JF
<input checked="" type="checkbox"/>	<b>PTC</b>	Attorney: <b>\$12,014.00</b> (statutory) (\$9,611.00 to Gary Bagdasarian and \$2,403.00 to John Garland, Executor of the Estate of Joanne Sanoian)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Costs: <b>\$435.00</b> (filing fees)	<b>Reviewed on:</b> 09/14/15
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Attorney X/O: <b>\$1,000.00</b> (per Local Rule for the sale of real property – to Joanne Sanoian)	<b>Updates:</b>
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/	Closing: <b>\$2,730.83</b>	<b>Recommendation:</b>
<input type="checkbox"/>	<b>Aff.Pub.</b>	On 11/26/13, Administrator filed a Creditor's Claim against the estate in the amount of \$59,668.00 for compensation for 10 years of service to decedent handling and assisting in many tasks related to running of the household and transportation. On 02/19/14, the heirs of the estate filed an objection to the Creditor's Claim. The parties reached an agreement as reflected in the Mutual Compromise and Settlement Regarding Distribution of the Estate dated 10/10/14. Petitioner requests that the Court approve the Settlement Agreement (attached to Petition as Exhibit "A").	<b>File 5 – Otrakjian</b>
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b> 08/14/13		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

Continued on Page 2



**Distribution, pursuant to intestate succession, is to:**

Rose Torosian	-	\$43,283.98
Antonio Simone	-	\$47,332.80
Elisa Simone	-	\$47,332.80
Vittoria Simone	-	\$47,332.80
Giuseppe Simone	-	\$47,332.80
Giuseppina Simone	-	\$47,332.80
Sebastiano Simone	-	\$15,777.60
Angela Simone	-	\$15,777.60
Cinzia Simone	-	\$15,777.60
Francesco Sicoli	-	\$7,888.80
Sebastiano Sicoli	-	\$7,888.80
Maria Pia Sicoli	-	\$7,888.80
Angela Sicoli	-	\$7,888.80
Gianni Sicoli	-	\$7,888.80
Emilio Sicoli	-	\$7,888.80

Attorney Boyajian, Thomas M. (for Carl John Peterson – Executor – Petitioner)

Petition for Final Settlement and Final Distribution, Waiver of Account, for Allowance of Statutory Fees for the Executor and for the Allowance of Statutory Fees for the Attorney and for Extraordinary Fees for the Executor and for Extraordinary Fees for the Attorney, and for Various Reimbursements

<b>DOD: 2/21/13</b>		<b>CARL JOHN PETERSON</b> , Executor with Full IAEA without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Accounting is waived.</b>	<b>Minute Order 8/27/15:</b> Counsel requests three weeks to file verified declarations addressing the defects.  <b>Note:</b> On 9/14/15, Mr. Boyajian filed "Response to Examiner's Notes" in which he refers to Exhibit 1, which appears to be a completely <u>amended petition</u> . The declaration appears to specifically address certain notes; <u>however, because the amended petition has not been properly filed, it is not reviewed, and it is unclear whether the information summarized here is current.</u>  <p style="text-align: center;"><b><u>SEE PAGE 2</u></b></p>
<b>Cont. from 082715</b>		<b>I&amp;A: \$704,585.00</b>	
<b>Aff.Sub.Wit.</b>		<b>POH: \$515,273.24 cash plus a vehicle and the contents of the residence per Declaration filed 9/14/15</b>	
✓	<b>Verified</b>	<b>Executor (Statutory): \$17,081.70</b>	
✓	<b>Inventory</b>	<b>Executor (Extraordinary): \$930.00</b> (for 31 hours @ \$30/hr in connection with the special administration, will contest, sale of real property, as itemized on Exhibit J)	
✓	<b>PTC</b>	<b>Executor: \$3,049.00</b> (Reimbursement for expenses paid from personal account as itemized on Exhibit H, including <del>\$1,300.00</del> \$1,275.00 to Attorney Boyajian, \$33.00 parking ticket while in court, gardener, photo lab, utilities, postage)	
✓	<b>Not.Cred.</b>	<b>Attorney (Statutory): \$17,081.70</b>	
✓	<b>Notice of Hrg</b>	<b>Attorney (Extraordinary): \$32,500.00</b> (for 130 hours @ \$250/hour in connection with the special administration, will contest, sale of real property, as itemized on Exhibit I)	
✓	<b>Aff.Mail</b> w/o	<b>Juanita Sobania: \$3,727.80</b> (Reimbursement for payment of Decedent's obligations owed at her death, as itemized on Exhibit G)	
	<b>Aff.Pub.</b>	<b>Reserve: \$500.00</b> (for accountant fee)	
	<b>Sp.Ntc.</b>	<b>Distribution pursuant to Decedent's will:</b>	
	<b>Pers.Serv.</b>	<b>Tambra Peterson:</b> Proceeds from the sale of the residence in the amount of \$256,000.00, plus <del>\$10,000.00</del> \$20,000.00 specific devise, plus vehicle, contents of residence	
	<b>Conf. Screen</b>	<b>Matthew Peterson:</b> \$10,000.00	
✓	<b>Letters</b> 7/11/14	<b>Florinda Torres:</b> \$5,000.00	
	<b>Duties/Supp</b>	<b>John Torres:</b> \$5,000.00	
	<b>Objections</b>	<b>Cynthia Ann Wallert:</b> \$10,000.00 plus \$2,800.00 for services rendered to the decedent prior to her death per attached contract.	
	<b>Video Receipt</b>	<b>Balance as follows:</b> One-half (\$70,500.85) to Tambra Peterson and one-half (\$70,500.85) to John Torres and Florinda Torres. <u>Note:</u> These amounts should be recalculated.	
	<b>CI Report</b>		
✓	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
✓	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc <b>Reviewed on:</b> 9/14/15 <b>Updates:</b> <b>Recommendation:</b> <b>File 6 – Gomes</b>

Page 2 – NEEDS/PROBLEMS/COMMENTS: The following remain noted for reference.

1. **Attorney Boyajian did not sign the petition itself and also did not sign his request for extraordinary compensation.**  
*Declaration states* he has signed an amended petition (attached to declaration), and signed and verified his request for extraordinary compensation. *Note:* the attached amended petition has not been properly filed and has therefore not been reviewed, so it is unclear if information has changed from the above summary, or if Mr. Boyajian intended to verify this petition.
2. **The petition does not state the assets on hand pursuant to Probate Code §10954 and Cal. Rule of Court 7.550(b)(4). Therefore, Examiner is unable to confirm the proposed distribution.**  
*Declaration states* the petition does state assets on hand include \$515,273.24 cash plus a vehicle and the contents of the residence. However, Examiner notes that the paragraph in the petition is combined with information re changes in form of assets and transfers between accounts, and is therefore not clear, as there no definitive statement that these are the assets on hand.
3. **The provisions of the lost will provide that Tandra Peterson is to receive a specific cash gift of \$20,000.00 in addition to the residence and personal property; however, Petitioner's prayer and order indicate \$10,000.00. Need clarification or corrected order.**  
*Declaration revises to \$20,000.00.* However, note that note that this affects final distributions to John and Florinda Torres, which do not appear to be amended in this declaration. Are they amended in the attached amended petition that has not been properly filed? Service regarding the amendment amounts may be necessary.
4. **Petitioner requests reimbursement for \$1,300.00 paid to Attorney Boyajian. Need clarification, as this payment appears to be a violation of Probate Code §10830 et seq., and Cal. Rule of Court 7.700 (no compensation in advance of court order). If this amount was used for costs of administration, need itemization.**  
*Declaration states* it was actually \$1,275.00 for filing, publication. Also, the Court may disallow the cost of the parking ticket (\$33.00), as it is unclear how this is an estate expense.
5. **Petitioner proposes to pay Cynthia Ann Wallert \$2,800.00 based on a contract to clean Decedent's house, in addition to her specific devise of \$10,000.00. The contract attached as Exhibit F to this petition is a handwritten note dated 6/26/12 that states: "To whom it may concern, I Natalie Gomes pay Cynthia AF Wallert \$100.00 per week for domestic services." The Court may require further clarification or itemization regarding the proposed payment of \$2,800.00, since no Creditor's Claim was filed in the estate by Ms. Wallert.**  
*Declaration states* attached is a declaration of Cynthia Wallert explaining the agreement that she had with her sister, the decedent. The declaration explains her duties, salary, length of agreement, and failure to collect the \$2,800.00.
6. **The Court may require clarification as to why the decedent's sister, Juanita Sobania, was paying the estate's expenses in connection with the real property instead of the Executor. (See request for reimbursement of \$3,727.80.)**  
*Declaration states* Ms. Sobania was under the impression that Petitioner might not assume the duties as executor and she wanted to assume them. When Petitioner assumed responsibility as executor, she no longer took care of these items. She only intended to protect her sister's estate.
7. **The proposed order is not in compliance with Local Rule 7.6.1.F. Some portion of the order must appear on the page upon which the judge's signature is affixed.**  
*Declaration states* a revised order has been submitted; however, due to the above-noted issues, and because an amended petition apparently will be filed, it has not been reviewed. If granted, Examiner will review for signature as appropriate pursuant to minute order.

<b>DOD: 4-4-13</b>	<b>BETTY A. PATE</b> , Daughter, was appointed as Executor with Full IAEA without bond on 7-24-13 and Letters issued on 8-2-13.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from 091914, 111914, 010815, 070215</b>	At the hearing on 7-24-13, the Court set this status hearing for the filing of the first account or petition for final distribution.	<b><u>OFF CALENDAR</u></b>
<b>Aff.Sub.Wit.</b>		<b>First and Final Account filed 9/14/15 is set for hearing on 10/22/15.</b>
<b>Verified</b>		
<b>Inventory</b>	Inventory and Appraisal filed 4-24-14 indicates a total estate value of \$644,428.38 consisting of real property, an Installment Note secured by deed of trust with assignment of rents, and a vehicle.	
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>	The first account or petition for final distribution is now due. Probate Code §12200.	
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>	<b>Status Report filed 9-16-14 states</b> the only real property of the estate has been sold and the only impediment to closing the estate is settlement with the California Franchise Tax Board. The Executrix has taken the position that no taxes are due to the State from the sale and is discussing said issue with the Board. Upon resolution, the estate should be in a position to close.	
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>	<b>Status Report filed 11-14-14 states</b> there have been continuing efforts by the estate representative to conclude this issue with the tax board. The attorney is informed and believes that once this issue of tax liability is resolved, the estate should be in a position to be closed.	
<b>Aff. Posting</b>		<b>Reviewed by:</b> skc
<b>Status Rpt</b>		<b>Reviewed on:</b> 9/14/15
<b>UCCJEA</b>		<b>Updates:</b>
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 7 - Guidi</b>

## First and Final Account and Report of Administrator and Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and for Distribution.

<b>DOD: 6/16/13</b>		<b>PUBLIC ADMINISTRATOR</b> , Administrator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 8/20/15.</b> Minute order states Ms. Kruthers is to file a response, following the objections in the order they were raised by 9/3/15, with any Reply due by 9/10/15. The Court indicates approval of, without ruling on, the statutory fees, and will use its discretion with regard to the extraordinary fees.
		Account period: 8/13/13 – 3/26/15	
<b>Cont. from 071615, 082015</b>		Accounting - <b>\$215,465.01</b>	
<b>Aff.Sub.Wit.</b>		Beginning POH - <b>\$194,521.47</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$ 18,511.19</b>	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Administrator (statutory) - <b>\$7,309.30</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	Administrator X/O - <b>\$1,248.00</b>	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	(per Local Rule for sale of real property and preparation of taxes)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Attorney - <b>\$7,309.30</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<b>\$6,714.30</b> (less than statutory)	
	<b>Aff.Pub.</b>	Bond fee - <b>\$808.01</b>	
	<b>Sp.Ntc.</b>	(o.k.)	
	<b>Pers.Serv.</b>	Court fees - <b>\$486.00</b>	
	<b>Conf. Screen</b>	(filing fee, certified copies)	
<input checked="" type="checkbox"/>	<b>Letters</b>	<b>Distribution, pursuant to intestate succession, is to:</b>	
	<b>Duties/Supp</b>	Steve Kallam - \$91.56	
<input checked="" type="checkbox"/>	<b>Objections</b>	Paul Kallam - \$91.56	
	<b>Video Receipt</b>	Donna Kincade - \$91.56	
	<b>CI Report</b>	Wendy Reimer - \$91.56	
<input checked="" type="checkbox"/>	<b>9202</b>	Susan Stone - \$61.56	
<input checked="" type="checkbox"/>	<b>Order</b>	Janice Butler - \$91.56	
	<b>Aff. Posting</b>	Charles Stone - \$91.56	
	<b>Status Rpt</b>	Gay Deady - \$91.56	
	<b>UCCJEA</b>	Dale Zimmerman - \$91.56	
	<b>Citation</b>	Jeffrey Zimmerman - \$91.56	
<input checked="" type="checkbox"/>	<b>FTB Notice</b>	<b>Please see additional page</b>	
			<b>Reviewed by: KT</b> <b>Reviewed on: 9/15/15</b> <b>Updates:</b> <b>Recommendation:</b> <b>File 8 - Kallam</b>

**Objections to Accounting on Estate filed by Donna Kincade and Susan Stone on 8/15/15.** Objectors state when then were told the Public Administrator would handle the estate they were informed that the fees would be "nominal" since they were employees of the county and paid by them. At no time did they explain what the actual fees would be or issue a printed fee compensation schedule. At no time were they notified or made aware that County Counsel would have a claim to an equal amount in fees. **Response of Public Administrator:** Statutory compensation is just that, set by statute. PA agrees to reduce her fees by \$595, which is ½ of the cost of boarding up the property. County Counsel's fees are also set by statute. **Reply of Objectors:** They were told by Noe Jimenez that if they agreed to let him take care of the liquidation of the estate he would do it for a nominal fee. They were not told there was a set fee schedule. The use of the phrase "nominal fee" was misleading to them and he misrepresented the facts.

Objectors state they do not understand the extraordinary fees for sale of the real property. They fail to understand why this would not be included in the statutory fees. As to the filing of taxes. What were the actual extraordinary services that were provided by the deputy and two probate assistants? **Response of Public Administrator:** The \$1,000 fee for extraordinary services for the sale of real property is specifically removed from consideration of the statutory fees. Local Rule 7/18(B)(1) prescribes a set amount the administrator can receive for selling real property. The attorney is not entitled to that amount if not confirmed by the court. The PA paid an accountant to prepare the tax returns. However, she had to gather all the documents and provide them to the accountant to prepare those returns.

Objectors would like clarification for items included in the accounting as follows:

- Alarm services for 5 months after the decedent's death even though all personal property was removed from the house and the house was empty. **Response of Public Administrator:** PA asserts that continuing to pay security is reasonable to protect the house from theft and vandalism. Vacant houses are notoriously at risk for theft of copper wiring.
- Charges to board up and secure the house. The house was empty since 8/14/13 and at the time was being monitored by ADT Security Services. What was the purpose of waiting 8 months to board up the house? **Response of Public Administrator:** Boarding up the property is one more tool to use in preventing further theft and vandalism.
- There is no explanation for the payment to the VA \$3,604.00. Is this a refund or return of the 9/25/13 payment? **Response of Public Administrator:** The payment to the VA was reimbursement. Decedent was not entitled to payments once he died. **Reply of Objectors:** Objectors concede.
- Payments to Wildrose Chapel and Funeral home. The decedent was a veteran and his funeral expense was reimbursed by the VA. Objector states she checked with the VA and was informed payment was made to the estate. **Response of Public Administrator:** The PA is not aware of any payment that the VA was expected to send to the estate for decedent's funeral. If Ms. Kincade has information regarding a reimbursement, the PA can follow up with that she has already provided.
- Decedent passed away on 6/16/13. Accounting shows miscellaneous household furniture and furnishings, 2004 Ford F150 Big Ruckus and a 2006 Honda sold at auction on 6/17/13 one day after his death. How is this possible? **Response of Public Administrator:** This is an error in the accounting. The property was sold in August. **Reply of Objectors:** Objectors concede.

Please see additional page

- There are issues with the auction of property of the decedent. Objector states when the Decedent's friend and business associate went to the Auction to bid on Decedent's 1933 Ford Coupe and the storage container, which contained some tools, he was told they already had a buyer for both. How can it already be sold even before the Auction begins? The 1933 Ford Coupe was valued at over \$40,000. Decedent built the coupe and showed it at car shows. He owned a business in which he built high performance engines, before he became disabled. Objectors wonder where all his machinery and tools ended up. Who can appraise a valuable car for \$16,000.00? (The 1933 Ford Coupe sold at auction for the appraised value of \$16,000.) - **Response of Public Administrator:** Families are often surprised how little property can be sold for at public or private auction. Ms. Stone does not indicate how recently she or the decedent's other relatives saw the decedent before he died. His death was caused by a self-inflicted gunshot wound. It is possible that his state of mind before he died left him vulnerable to theft and lack of concern for his personal items. Thus, to argue successfully that there should have been more personal property is difficult. **Reply of Objectors:** They believe the County of Fresno has and did misrepresent itself to them and how the estate would be liquidated and distributed. Noe Jiminez gave them misleading and incomplete information concerning the estate. Morally wrong in every way. The 1933 Ford Coupe was in the process of being painted. All parts were there. The engine was built by Boghosian High Performance Engines at a cost of over \$40,000. The county appraiser didn't contact Boghosian for information on the engine. The appraiser had incomplete information to make an informed appraisal.

**Attached to the Objections is a notarized declaration from Leland Amer, Jr.** which states the car that was sold was worth \$30,000 - \$60,000. He worked on this car. He was at the auction and something funny was going on. It was like all of the prices were wrote down before and his buddies did all of the bidding, also he was bidding out of the air which means it sold and the buyer was not there. He has seen this done at all auctions in Fresno. He worked for Howard Leach Auction Company and boy did he learn a lot about the shady tricks.

**First and Final Report of Administrator with the Will Annexed on Waiver of Account and Petition for Final Distribution**

DOD: 10/2/2006		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
✓	Inventory	
✓	PTC	
	Not.Cred.	
	Notice of Hrg	N/A
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	062714
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✓	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✓	FTB Notice	
JOAN GOUVEIA, daughter and Administrator with Will Annexed with Full IAEA authority without bond appointed on 6/19/2014, is Petitioner.  Accounting is waived.  I & A — \$350,000.00 POH — \$350,000.00 (no cash)  Administrator — waives  Attorney — waives  Distribution pursuant to Decedent's Will and (based upon predeceased devisee) pursuant to intestate succession is to:  JOAN GOUVEIA – 100% interest in real property.		
NEEDS/PROBLEMS/COMMENTS:		
Reviewed by: LEG		
Reviewed on: 9/15/15		
Updates:		
Recommendation: SUBMITTED		
File 9 – Gouveia		



Age: 85		NEEDS/PROBLEMS/COMMENTS:  <b><u>CONTINUED TO 10/29/15</u></b> <b>Per 09/10/15 Minute Order</b>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed on: 09/14/15
		Updates:
		Recommendation:
		File 10 – Cook

<b>DOD: 09/16/13</b>	<b>CRAIG GAMMEL</b> , nephew, was appointed as Administrator with full IAEA and bond set at \$270,000.00 on 04/15/14. Bond was filed 02/07/14 and Letters were issued on 05/20/14.  Inventory & Appraisal, Final, filed 12/17/14 - \$418,244.00  Inventory & Appraisal, Corrected, filed 03/30/15 - \$465,561.00	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>CONTINUED FROM 09/03/15</u></b> <b>Minute Order from 09/03/15 states: If accounting is filed 2 days before the hearing, status may come off calendar.</b>  <b>As of 09/14/15, nothing further has been filed.</b>  1. Need First & Final Account and Petition for Distribution and/or current verified status report.
<b>Cont. from 072315, 090315</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
<b>Reviewed by:</b> JF		
<b>Reviewed on:</b> 09/14/15		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 11 – Gammel</b>		



Attorney Noel, Sheryl D. (for Petitioner David F. Meier, Executor)

**First and Final Account and Report of Executor and Petition for its  
Settlement, for Allowance of Compensation to Attorneys for Ordinary and  
Extraordinary Services and for Final Distribution**

<b>DOD: 12/25/2014</b>		<b>DAVID F. MEIER</b> , son-in-law and Executor, is Petitioner.	<b>NEEDS/PROBLEMS/ COMMENTS:</b>  <b>Note:</b> Exhibit G, <i>Proposed Distribution</i> states the costs reimbursement request includes the cost of filing the instant <i>First and Final Account</i> of <b>\$435.00</b> , such that the total cost reimbursement calculates as <b>\$1,505.00</b> rather than <b>\$1,070.00</b> as stated. Proposed order has been interlineated to include the cost reimbursement amount of <b>\$1,505.00</b> , which then makes all distribution sums correct as stated in the proposed order.
		<b>Account period: 12/25/2014 – 7/1/2015</b>	
		Accounting - <b>\$176,184.45</b>	
		Beginning POH - <b>\$175,760.00</b>	
		Ending POH - <b>\$153,621.10</b> (\$152,861.10 is cash)	
<b>Cont. from</b>		Executor - <b>waives</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Attorney - <b>\$5,927.80</b> (statutory)	
<input checked="" type="checkbox"/>	<b>Verified</b>	Attorney XO - <b>\$1,000.00</b> (per Declaration attached as Exhibit E; less than \$2,171.25 for 12.35 hours @ \$275.00 attorney rate and \$135.00 paralegal rate;)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Costs - <b>[\$1,505.00]</b> (filing fees (including for the instant petition), publication, certified copies)	
<input checked="" type="checkbox"/>	<b>PTC</b>	<b>Distribution pursuant to Decedent's Will is to:</b> <ul style="list-style-type: none"> <li>• <b>CYNTHIA ANN (MRS. DAVID F.) MEIER</b> – items of personal property and <b>\$72,214.15 cash</b>;</li> <li>• <b>LYNNE DEE (MRS. ROBERT K.) SATER</b> – items of personal property and <b>\$72,214.15 cash</b>;</li> <li>• <b>GIA DOLORESCO</b> – automobile and items of personal property;</li> <li>• <b>DAVID F. MEIER</b> – paintings/artwork;</li> <li>• <b>SCOTT D. MEIER</b> – paintings/artwork;</li> <li>• <b>MATTHEW C. MEIER</b> – paintings/artwork.</li> </ul>	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b> 031215		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 9/15/15 <b>Updates:</b> <b>Recommendation:</b> <b>File 13 – Warrick</b>

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Attorney  
Attorney  
Attorney

Shirley Adams (CONS/PE)

Krbek, Randolph (for Kismet Burroughs – Son – Petitioner)

Boyett, Deborah K. (Court appointed for Proposed Conservatee)

Horton, Lisa (for Paulette Adams – Sister – Objector)

Case No. 15CEPR00272

Petition for Appointment of Probate Conservator of the Person and Estate (Prob.

C. 1820, 1821, 2680-2682)

See petition, objections for details.			NEEDS/PROBLEMS/ COMMENTS:
			Court Investigator advised rights on 4/14/15
			Voting rights affected – need minute order.
Con from 050415, 062215, 072215			<u>Note:</u> Petitioner resides in Altadena, California.
	Aff.Sub.Wit.		<u>Update:</u> Objection to Petition was filed 9/11/15 by Paulette Adams, daughter. See additional pages.
✓	Verified		<u>SEE ADDITIONAL PAGES</u>
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
✓	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
	Order	X	
	Aff. Posting		Reviewed by: skc
	Status Rpt		Reviewed on: 9/14/15
	UCCJEA		Updates:
✓	Citation		Recommendation:
	FTB Notice		File 14 - Adams

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Page 2

NEEDS/PROBLEMS/COMMENTS:

1. Attachment 1f is not sufficient to request dementia powers under probate Code §2356.5. Mandatory Judicial Council Form GC-313, Attachment Requesting Special Orders Regarding Dementia, must be used to request powers under Probate Code §2356.5. Amendment may be required, since this attachment is mandatory, contains mandatory information, and was not included with service.
2. Need proof of personal service of Citation with a copy of the petition, and all appropriate attachments, as noted above, at least 15 days prior to the hearing on proposed Conservatee, Shirley Adams pursuant to Probate Code §1824.  
  
Note: A "Proof of Service" filed 5/26/15 indicates service of a citation and petition, but the Citation has not been filed, and it does not appear that #1 above has been cured or that such attachment was served.
3. Need Capacity Declaration with Dementia Attachment. The Capacity Declaration filed in open court on 6/22/15 does not contain the dementia attachment (Mandatory Judicial Council Form GC-335A) in support of the apparent request for dementia powers (see #1 above).
4. The Court may require clarification as to the necessity for authority to sell the Proposed Conservatee's former residence without Court confirmation, proper publication and noticed hearing, with reference to Probate Code §§ 2540(b) and 2543. The petition does not indicate any urgency.
5. Need order.
6. Paulette Adams, sister, states not all relatives are listed and given notice. Need complete verified list of all relatives within the second degree and notice per §1822, which should include all appropriate attachments, as noted above.

**Second Amended Probate of Lost Will and for Letters Testamentary**

<b>Age:</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <div style="text-align: center;"><b><u>OFF CALENDAR</u></b></div> Third Amended petition filed 8/28/15 is set for hearing on 10/8/15
<b>DOD:</b>		
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc <b>Reviewed on:</b> 9/15/15 <b>Updates:</b> <b>Recommendation:</b> <b>File 15 – Juarez</b>

<b>Anna Hepner</b> <b>DOD: 4/24/08</b>		<b>JERRY PRUDEK</b> , Beneficiary, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>Minute Order 7/22/15:</u> Counsel represents that the parties are participating in mediation with Mr. Jacobson and requests a continuance. Mr. Krbechek states that he will notify Mr. Teixeira of the date.  <u>Note:</u> See Page B re status of mediation and agreement.	
<b>Cont. from 060815, 072215</b>		<b>Petitioner states GLENN J. HEPNER, JIMMY A. HEPNER, GEORGE HEPNER, JR., and DOLLIE SIMPSON</b> have served as successor trustees since the death of their mother. The trust holds various acreage in Fresno County. Other assets are unknown.		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Petitioner alleges that the co-trustees have reviewed a proposal for distribution as set forth on Exhibit B. No action has been taken to effect such distribution due to lack of agreement among the co-trustees.  The beneficiaries are Glenn J. Hepner, Jimmy A. Hepner, and George Hepner, Jr., each as to a 1/4 interest, and Dolly Simpson and Jerry Prudek each as to a 1/8 interest. Jerry Prudek is successor to Evelyn Prudek.	1. Probate Code §17200(b)(7) provides that proceeding to compel account may be commenced if the trustee has failed to submit a requested account within 60 days after written request of the beneficiary and no account has been made within six months preceding the request.  Petitioner states his proposed distribution was reviewed, no action taken, but does not state whether written request for account was made. If not, this petition may be premature.	
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			W
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>	Petitioner requests distribution in accordance with the First Amendments, which provides that "if my children are unable to agree on how the property is to managed or divided, then the property shall be sold and the proceeds divided in the proportions indicated above."  Petitioner requests a full and complete accounting in accordance with Probate Code §16063 pursuant to Probate Code §16062, 16063, and 17200. Further administration of trust assets is not necessary, and the remaining assets should be liquidated and distributed.	2. Need order.	
<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input type="checkbox"/>	<b>Order</b>			X
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>	<b>Petitioner prays for relief against the co-trustees as follows:</b> <ol style="list-style-type: none"> <li>1. An order compelling the successor trustees to account for any trust assets collected or received by them;</li> <li>2. An order settling the accounts and passing upon the acts of each of the co-trustees;</li> <li>3. An order determining to whom property shall pass or be delivered upon termination of the trust;</li> <li>4. An order for termination of the trust;</li> <li>5. For such other and further relief as the Court may deem just, equitable, and proper.</li> </ol>	<b>Reviewed by:</b> skc <b>Reviewed on:</b> 9/14/15 <b>Updates:</b> <b>Recommendation:</b> <b>File 16A - Hepner</b>	
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			



		<p><b>JERRY PRUDEK</b>, Beneficiary, filed Petition for Accounting and for Order Instructing the Co-Trustees and Compelling Final Distribution from Trust on 4/22/15.</p> <p>On 7/22/15, Mr. Krbechek informed the court that the parties are participating in mediation. The Court set this status hearing re mediation and agreement.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need written status report re mediation and agreement per Local Rule 7.5.</p>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 9/14/15	
		Updates:	
		Recommendation:	
		File 16B – Hepner	

**17 Emilee Ramirez-Maldonado (GUARD/P) Case No. 15CEPR00697**

Petitioner Maldonado, Twilla Mae (Pro Per – Maternal Grandmother)

Petitioner Maldonado, Alex (Pro Per – Maternal Grandfather)

**Petition for Appointment of Guardianship of the Person**

<b>Age: 5</b>	<b><u>NO TEMPORARY REQUESTED</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>TWILLA MAE MALDONADO, and ALEX MALDONADO, maternal grandparents, are petitioners.</b>	
	<b><u>Please see petition for details</u></b>	
<b>Cont. from</b>		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	x	
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"><li>• Alberto Ramirez – Unless the Court dispenses with notice</li></ul>
		<b>Note:</b> Declaration of Due Diligence filed 09/09/2015 states, Yvette Smith (individual attempting service) went to Albert's current place of employment. Because he goes by an alias no one knew him as Albert at work. Ms. Smith waited for him to leave work but because he works for a construction company he is at different locations. Ms. Smith spoke to Albert on the phone attached is a list of all attempts made to contact Albert. On 08/25/2015 Ms. Smith briefly stated why she needed to see him, Albert said he would call tomorrow. On 08/26/2015 Ms. Smith called Albert and left a message. On 08/27/2015 Ms. Smith called Albert on three occasions, he told her he would stop by her home but he was a no show. On 08/28/2015 Ms. Smith spoke to Albert at length regarding the petition for guardianship. He promised to come by after work the next day but again was a no show. On 08/29/2015 Ms. Smith text Albert again but got no response.
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 09/15/2015
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 17 – Maldonado</b>

**18 Rodolfo Cortez Castillo (Estate) Case No. 15CEPR00746****Petitioner Castillo, Marilynn De La Cruz (Pro Per – Daughter)****Petition for Letters of Administration; Authorization to Administer Under IAEA**

<b>DOD: 07/05/2015</b>	<b>MARILYNN DE LA CRUZ CASTILLO,</b> daughter, requests appointment as Administrator without bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Waiver of Bond from Eric Angel Castillo or bond in the amount of \$550,014.00.  2. #5a(3) or #5a(4) was not answered regarding a registered domestic partner.  3. #5a(7) or #5a(8) was not answered regarding issue of predeceased child.  <b>Note:</b> Petitioner filed an Inventory and Appraisal (partial no. 1) however it has not been appraised by the Probate Referee.  <b>Note:</b> If the petition is granted status hearings will be set as follows:  • <b>Thursday, 02/18/2016 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u>  • <b>Thursday, 11/17/2016 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
	Full IAEA – o.k.	
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Decedent died intestate	
<input checked="" type="checkbox"/> <b>Verified</b>	Residence: Fresno Publication: The Fresno Bee	
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Estimated value of the Estate:</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Personal property - \$48,014.00 Real property - \$700,000.00 Less encumbrances - \$198,000.00	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	<b>Total - \$550,014.00</b>	
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>	Probate Referee: Steven Diebert	
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
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<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
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<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		

<b>Reviewed by:</b> LV
<b>Reviewed on:</b> 09/15/2015
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 18 – Castillo</b>

**Petition for Ancillary Letters of Administration; Authorization to Administer Under the Independent Administration of Estates Act**

<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td><b>DOD: 12/11/14</b></td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td><b>Cont. from</b></td></tr> <tr><td><input type="checkbox"/> <b>Aff.Sub.Wit.</b></td></tr> <tr><td><input checked="" type="checkbox"/> <b>Verified</b></td></tr> <tr><td><input type="checkbox"/> <b>Inventory</b></td></tr> <tr><td><input type="checkbox"/> <b>PTC</b></td></tr> <tr><td><input type="checkbox"/> <b>Not.Cred.</b></td></tr> <tr><td><input type="checkbox"/> <b>Notice of Hrg</b></td></tr> <tr><td><input checked="" type="checkbox"/> <b>Aff.Mail</b>      W/</td></tr> <tr><td><input checked="" type="checkbox"/> <b>Aff.Pub.</b></td></tr> <tr><td><input type="checkbox"/> <b>Sp.Ntc.</b></td></tr> <tr><td><input type="checkbox"/> <b>Pers.Serv.</b></td></tr> <tr><td><input type="checkbox"/> <b>Conf. Screen</b></td></tr> <tr><td><input checked="" type="checkbox"/> <b>Letters</b></td></tr> <tr><td><input checked="" type="checkbox"/> <b>Duties/Supp</b></td></tr> <tr><td><input type="checkbox"/> <b>Objections</b></td></tr> <tr><td><input type="checkbox"/> <b>Video Receipt</b></td></tr> <tr><td><input type="checkbox"/> <b>CI Report</b></td></tr> <tr><td><input type="checkbox"/> <b>9202</b></td></tr> <tr><td><input checked="" type="checkbox"/> <b>Order</b></td></tr> <tr><td><input type="checkbox"/> <b>Aff. Posting</b></td></tr> <tr><td><input type="checkbox"/> <b>Status Rpt</b></td></tr> <tr><td><input type="checkbox"/> <b>UCCJEA</b></td></tr> <tr><td><input type="checkbox"/> <b>Citation</b></td></tr> <tr><td><input type="checkbox"/> <b>FTB Notice</b></td></tr> </table>	<b>DOD: 12/11/14</b>				<b>Cont. from</b>	<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	<input checked="" type="checkbox"/> <b>Verified</b>	<input type="checkbox"/> <b>Inventory</b>	<input type="checkbox"/> <b>PTC</b>	<input type="checkbox"/> <b>Not.Cred.</b>	<input type="checkbox"/> <b>Notice of Hrg</b>	<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/	<input checked="" type="checkbox"/> <b>Aff.Pub.</b>	<input type="checkbox"/> <b>Sp.Ntc.</b>	<input type="checkbox"/> <b>Pers.Serv.</b>	<input type="checkbox"/> <b>Conf. Screen</b>	<input checked="" type="checkbox"/> <b>Letters</b>	<input checked="" type="checkbox"/> <b>Duties/Supp</b>	<input type="checkbox"/> <b>Objections</b>	<input type="checkbox"/> <b>Video Receipt</b>	<input type="checkbox"/> <b>CI Report</b>	<input type="checkbox"/> <b>9202</b>	<input checked="" type="checkbox"/> <b>Order</b>	<input type="checkbox"/> <b>Aff. Posting</b>	<input type="checkbox"/> <b>Status Rpt</b>	<input type="checkbox"/> <b>UCCJEA</b>	<input type="checkbox"/> <b>Citation</b>	<input type="checkbox"/> <b>FTB Notice</b>	<p><b>DRU ROLAND</b>, son, is petitioner and requests appointment as Administrator without bond.</p> <p>Petitioner is the sole heir and waives bond.</p> <p>Full IAEA – o.k.</p> <p>Residence: Nebraska, leaving real property in Fresno, CA.</p> <p>Publication: Fresno Business Journal</p> <p><b><u>Estimated value of the estate:</u></b>  Real property                      -                      \$200,000.00</p> <p>Declaration of Attorney, Judith Wright, states prior to filing the petition, it was thought that the real property of the estate would be valued at less than \$150,000. Rick Smith, Probate Referee, was contacted, and he appraised the home at \$200,000. On behalf of Petitioner, Ms. Wright requests that <b>RICK SMITH</b> be appointed by the court as the probate referee for this estate.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>Note:</u></b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li>• <b>Wednesday, February 24, 2016</b> at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.</li> <li>• <b>Wednesday, November 16, 2016</b> at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 20px;"> <tr><td><b>Reviewed by:</b> KT</td></tr> <tr><td><b>Reviewed on:</b> 9/15/15</td></tr> <tr><td><b>Updates:</b></td></tr> <tr><td><b>Recommendation:</b></td></tr> <tr><td><b>File 19 – Cornelison</b></td></tr> </table>	<b>Reviewed by:</b> KT	<b>Reviewed on:</b> 9/15/15	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 19 – Cornelison</b>
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<b>DOD: 07/15/15</b>		<b>GIULIANO DICICCO</b> , named Executor without bond, is Petitioner.  Full IAEA – <b>NEED PUBLICATION</b>  Will dated 10/13/10  Residence: Fresno Publication: NEED  <u><b>Estimated Value of the Estate:</b></u> Personal property - \$ 5,000.00 Real property - 15,000.00 <b>Total - \$20,00.00</b>  Probate Referee: <b>RICK SMITH</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petitioner's name, address and relationship to the decedent is not listed in item 8 of the Petition. Need Supplement or Amended Petition. 2. The Petition indicates that the decedent had a deceased spouse. Name and Date of Death of deceased spouse should be listed in item 8 of the Petition. Need Supplement or Amended Petition. 3. Need Confidential Supplement to Duties and Liabilities (form DE-147S). 4. Need Proof of Publication. 5. Need Letters.  <u><b>Note:</b></u> If the petition is granted status hearings will be set as follows:  • <b>Thursday, 02/18/16 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b> • <b>Thursday, 12/14/16 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			S/P
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
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<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/o		
<input type="checkbox"/>	<b>Aff.Pub.</b>	x		
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
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<input type="checkbox"/>	<b>Letters</b>	x		
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<input type="checkbox"/>	<b>Citation</b>			
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<b>Reviewed by:</b> JF <b>Reviewed on:</b> 09/15/15 <b>Updates:</b> <b>Recommendation:</b> <b>File 20 – Stamoulis</b>				

## Spousal or Domestic Partner Property Petition

<b>DOD: 06/27/15</b>		<b>EDNA I. AVILA</b> , surviving spouse, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		No other proceedings.	1. Attachment 7a and 7b is incomplete. Need more information regarding date of marriage, was petitioner still married to decedent at the time of his death, etc.  2. The Petition is not marked at item 1(b) that petitioner is seeking confirmation of property belonging to her, however the petition is marked at 7b and the order is marked seeking such relief. The Court may require clarification and/or amended petition.
		Decedent died intestate.	
<b>Cont. from</b>		Petitioner states [no statement, need more information on attachment 7a & 7b. (Copy of Grant Deed dated 08/01/13 signed by Russell L. Avila and Edna I. Avila, reflecting that they held title to the property jointly, Husband and Wife as Community Property.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	<b>Petitioner requests</b> court confirmation a ½ interest in real property identified as APN 499-133-01 belongs to her and ½ interest in the same real property passes to her.	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
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<input type="checkbox"/>	<b>Letters</b>		
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<input type="checkbox"/>	<b>Objections</b>		
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<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 09/15/15
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 21 – Avila</b>

Attorney Davis, William H., of Sacramento (for Petitioner Robert Dennis Shay)

## Petition for Order Determining Trust's Title to Personal Property (Heggstad Petition)

Regina DOD: 1/16/2012		<p><b>ROBERT DENNIS SHAY</b>, Settlor and Trustee, is Petitioner.</p> <p><b>Petitioner states:</b></p> <ul style="list-style-type: none"> <li>Petitioner and his wife, <b>REGINA ANN SHAY</b> (Settlers) created the <b>SHAY FAMILY TRUST</b> on 1/15/2012 (copy attached as Exhibit A);</li> <li>Settlor Regina Shaw created on 1/15/2012 a "Pour Over" Will (copy attached as Exhibit B);</li> <li>Before Regina's death, Settlers were in the process of transferring title of all their assets into the Trust; Regina was terminally ill at the time she implemented her estate plan; upon Regina's death, Petitioner became the sole Trustee;</li> <li>Trust terms provide that the Settlers may transfer by will or otherwise any property to the Trust estate with the consent of the Trustee;</li> <li>Regina's Pour-Over Will devises her entire estate to the Trustee of the Trust;</li> <li>The Trust's Schedule A, Schedule of Assets, (copy attached as Exhibit D) specifically lists the subject bank accounts and brokerage investment accounts;</li> <li>During the Trust administration following the death of Regina, Petitioner determined that two assets were inadvertently titled in the name of Regina individually and not in the her capacity as Trustee of the Trust, as she intended (copies of bank account and brokerage investment account statements attached as Exhibits E and F);</li> </ul> <p align="center">~Please see additional page~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li><i>Proof of Service by Mail of the Notice of Hearing</i> filed on 8/17/2015 shows notice to <b>JEFFREY DYRKE SHAY</b>, son, was made care of another person. Pursuant to CA Rule of Court 7.51(a)(1) and (2), notice sent by mail must be mailed individually and directly to the person entitled to notice and mailing to a person in care of another person is insufficient unless the person entitled to notice is an adult and has directed the party giving notice in writing to send the notice in care of the second person. Court may require direct notice to be served to <b>JEFFREY DYRKE SHAY</b>.</li> <li>Need proposed order pursuant to Local Rule 7.1.1(F) which provides a proposed order shall be submitted with all pleadings that request relief.</li> </ol>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
✓	Notice of Hrg			
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<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

**Petitioner states, continued:**

- The Trust, the Pour-Over Will, and the Schedule A, all contain words of conveyance of Settlor's property to the Trustee of the Trust;
- Through inadvertence, title to the property was not formally transferred to the Trust, and as a result the title to the property remained in Settlor Regina Ann Shay's name as an individual;
- Petitioner believes that because the Trust specifically lists any and all checking, savings, brokerage, and/or investment accounts as Trust assets, and the Pour-Over Will contains words of conveyance to the Trustee of the Trust, it was Settlor Regina Shay's intent to transfer title to the subject personal property to the Trust.

**Petitioner requests an Order directing that the personal property *[described on Exhibit E and Exhibit F]* are assets of the SHAY FAMILY TRUST and that title to these assets shall be in the name of Petitioner as Trustee of the Trust.**



## Petition for Appointment of Probate Conservator of the Person and Estate

		<b><u>Temporary Expires 9/17/15</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>DELIA GONZALEZ</b> , paternal aunt, is petitioner and requests the <b>PUBLIC GUARDIAN</b> be appointed as Conservator of the person and estate	<b>Court Investigator Advised Rights on 9/8/15.</b>
<b>Cont. from</b>		<b>Please see petition for details.</b>	<p>1. Petition indicates the proposed conservatee is developmentally disabled. Need proof of service of the notice of hearing along with a copy of the petition on the Regional Center pursuant to Probate Code §1822(e).</p> <p>2. Need Letters.</p> <p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, January 20, 2016</b> at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.</li> <li><b>Wednesday, November 16, 2016</b> at 9:00 a.m. in Department 303, for the filing of the first account.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	<b>Court Investigator Report filed on 9/10/15</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>	X	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input checked="" type="checkbox"/>	<b>Citation</b>	W/	
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 9/15/15</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 23 – De La Mora</b>

Petitioner Sharon Chree Robinson (Pro Per Petitioner)

## Petition to Establish Fact of Marriage

Earl DOD: 5/30/2009		<p><b>SHARON CHREE ROBINSON</b> is Petitioner.</p> <p><b>Petitioner states:</b></p> <ul style="list-style-type: none"> <li>She requests the Court establish the fact, date, and place of marriage of Petitioner and <b>EARL LEE ROBINSON</b>, on 6/1/1985 at the Chapel of Long Beach, California, County of Los Angeles;</li> <li>There is no official record of the fact, date, and place of marriage of Petitioner and <b>EARL LEE ROBINSON</b>, who is deceased (<i>copy of death certificate attached</i>);</li> <li>She is trying to get an official marriage license, and for it to be recorded.</li> </ul> <p><i>Declaration in Support of Petition</i> filed 9/2/2015 states Petitioner has a marriage certificate dated 6/1/1985, but it has not been recorded.</p> <p><i>Copy of Certificate of Marriage</i> from Orange Chapel Long Beach dated 6/1/1985 attached.</p> <p><i>Copy of Authorization and Certificate of Confidential Marriage</i> dated 6/1/1985 attached.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Item 5(a) of the <i>Declaration in Support of Petition</i> filed on 9/2/2015 is incomplete regarding Petitioner's marriage license and the date of license; however, Item 5(a) requires that Petitioner supply the Court with a copy of her marriage license, which is required for a valid marriage in California, and the procedure which Petitioner seeks to use by filing the instant <i>Petition</i> cannot establish the validity of a California marriage if no marriage license was obtained. Petitioner's proposed order states she and <b>EARL LEE ROBINSON</b> did not apply for a marriage license prior to the marriage ceremony, and therefore their marriage could not be registered and no certified copy is obtainable. It appears this is not a valid marriage pursuant to Family Code § 306, which provides that an authenticated marriage license "shall be returned to the county recorder of the county where the marriage license was issued." Pursuant to Health and Safety Code § 103450, the purpose of obtaining an order establishing the fact of marriage is to obtain a certificate to replace one which was never registered, or to obtain a certified copy of the registration when the original records were lost or destroyed. Thus, the procedure is designed to cure a failure to register the marriage, not to cure a failure to obtain a license.</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			N/A
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

<b>Reviewed by:</b> LEG
<b>Reviewed on:</b> 9/15/15
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 24 – Robinson</b>

# **Petition for Appointment of Temporary Guardian of the Person (Prob. Code §2250)**

**25**

**26 Kash Cota (GUARD/P)****Case No. 15CEPR00866**

Petitioner: Roman James Cota (pro per)

Petitioner: Carrie Joyce Cota (pro per)

**Petition for Appointment of Temporary Guardian of the Person**

		<b>TEMPORARY EXPIRES 9/17/15.</b> (Granted ex parte by Judge Hamilton on 9/8/15.)  <b>GENERAL HEARING: 11/5/15</b>  <b>ROMAN J. COTA</b> , paternal uncle and <b>CARRIE J. COTA</b> , paternal aunt, are petitioners.  Please see petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need Notice of Hearing.  2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Ernest R. Cota (father) – copy of the second page of the Notice of Hearing filed showing personal service on father on 9/10/15. Need all pages of the Notice of Hearing to be filed. b. Jessica M. Samora (mother)- Declaration re: attempted service filed 9/15/15 showing service was attempted on 5 separate occasions from 9/9/15 to 9/11/15 but was not successful.
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> KT <b>Reviewed on:</b> 9/15/15 <b>Updates:</b> <b>Recommendation:</b> <b>File 26 – Cota</b>

**Petition for Appointment of Temporary Guardian**

		<b>TEMPORARY EXPIRES 9/17/15.</b> (Granted ex parte by Judge Hamilton on 9/8/15.)	<b>NEEDS/PROBLEMS/COMMENTS:</b>  3. Need Notice of Hearing.  4. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence on: c. Ronnie Fletcher (father) d. Nichole De Los Reyes (mother)
		<b>GENERAL HEARING: 11/9/15</b>	
<b>Cont. from</b>		<b>MICHELLE SULLIVAN</b> , maternal grandmother, is petitioner.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>	<b>Please see petition for details.</b>	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>Aff.Mail</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<b>Letters</b>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>Objections</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>Video Receipt</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>CI Report</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>9202</b>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<b>Order</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>Aff. Posting</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>Status Rpt</b>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<b>UCCJEA</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>Citation</b>	<input type="checkbox"/>	
<input type="checkbox"/>	<b>FTB Notice</b>	<input type="checkbox"/>	
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 9/15/15</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 27 – Fletcher</b>

Attorney French, G. Dana (for Administrator David Hernandez)

## Probate Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 3/3/2015		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <p style="text-align: center;"><b>OFF CALENDAR</b>  <i>Final Inventory and Appraisal filed  9/8/2015.</i></p>
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		Reviewed by: LEG
		Reviewed on: 9/14/15
		Updates:
		Recommendation:
		File 28 – Hernandez